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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12
13 **CARLOS ANTHONY**
14 **HAWTHORNE,**

15 Petitioner,

16 v.

17 **PAT HORN,**

18 Respondent.

19 Case No. CV 22-07535-FWS (AS)

**NOTICE OF SECOND
SUPPLEMENTAL LODGING**

The Honorable Alka Sagar
United States Magistrate Judge

20 Respondent hereby electronically lodges copies of the following documents in
21 support of his Answer to Petition for Writ of Habeas Corpus:

22 13.¹ Clerk's transcript from Los Angeles County Superior Court Case
23 Number BA137272: Supplemental Volume I – ordered unsealed on October 1,
24 2014, by California Supreme Court in case number S176951;

25
26 ¹ On March 10, 2023, Respondent lodged ten documents in connection with
27 his Motion to Dismiss. (See Ct. Dkts. 16-17.) And, on June 26, 2023, the clerk's
28 and reporter's transcripts from Petitioner's state trial were lodged as documents 11
and 12. (See Ct. Dkts. 23-24.)

1 14. Clerk's transcript from Los Angeles County Superior Court Case Number
2 BA137272: Supplemental Volume III;
3 15. Reporter's transcript from Los Angeles County Superior Court Case
4 Number BA137272: Volume 2A – ordered unsealed on October 1, 2014, by
5 California Supreme Court in case number S176951;
6 16. Reporter's transcript from Los Angeles County Superior Court Case
7 Number BA137272: Volume 5A - ordered unsealed on October 1, 2014, by
8 California Supreme Court in case number S176951;
9 17. Respondent's brief filed in California Supreme Court case number
10 S064769;
11 18. Docket in California Supreme Court case number S176951;
12 19. Exhibits 1 through 157² filed on April 22, 2013, and Exhibits 163 through
13 183 filed on September 16, 2015, in support of Amended Petition for Writ of
14 Habeas Corpus in California Supreme Court case number S176951:
15 -1 Declaration of David C. Baldus
16 -2 Declaration of Donald H. Heller
17 -3 Declaration of George Woodworth, Ph.D.
18 -4 Declaration of Gerald F. Uelmen
19 -5 Declaration of Steven F. Shatz
20 -6 Newspaper Articles Regarding California's Death
21 Penalty Statutes
22 -7 Legislative History Material Regarding California's
23 Death Penalty Statutes
24 -8 Testimony of David Baldus in *Ashmus v. Wong*,
25 November 19, 2010

27 ² Exhibits 158 through 162 in support of the Amended Petition for Writ of
28 Habeas Corpus in case number S176951 were filed under seal on June 12, 2013,
and are omitted.

1 -9 Testimony of George Woodworth in *Ashmus v. Wong*,
2 November 22, 2010
3 -10 Testimony of Steven F. Shatz in *Ashmus v. Wong*,
4 January 28, 2010
5 -11 Declaration of James S. Thomson
6 -12 Declaration of Quin Denvir
7 -13 Birth Certificate of Carlos Anthony Hawthorne, Sr.
8 -14 Education Records of Carlos Anthony Hawthorne, Sr.
9 -15 Federal Bureau of Investigation Identification Record
10 for Carlos Anthony Hawthorne, Sr.
11 -16 *People v. Carlos Anthony Hawthorne, Sr., & Sheila*
12 *Laretta Ausborne*, Los Angeles County Superior Court Case No.
13 A 298854, July 27, 1973
14 -17 *People v. Carlos Anthony Hawthorne, Sr.*, Los Angeles
15 County Superior Court Case No. A 435027, February 27, 1974
16 -18 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
17 Superior Court Case No. 71872, April 17, 1979
18 -19 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
19 Superior Court Case No. 82857, February 25, 1982
20 -20 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
21 Superior Court Case No. 82578, February 16, 1982
22 -21 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
23 Superior Court Case No. 85725, October 28, 1982
24 -22 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
25 Superior Court Case No. 91552, August 11, 1983
26 -23 California Department of Corrections and
27 Rehabilitation Custodial File of Carlos Anthony Hawthorne, Sr.,
28 C-85184

-24 *People v. Carlos Hawthorne, Sr., and Mary Jane Dowling*, Santa Clara County Superior Court Case No. 133070, September 22, 1988

-25 San Francisco Police Department Criminal History Record of Carlos Anthony Hawthorne, Sr.

-26 Death Certificate of Carlos Anthony Hawthorne, Sr.

-27 San Francisco General Hospital Records of Carlos Anthony Hawthorne, Sr.

-28 Declaration of William Hawthorne III

-29 Declaration of Patricia Hawthorne

-30 Declaration of Clara Jeanine Hawthorne

-31 Declaration of Roy Henry Hawthorne

-32 Declaration of Truman Odell Hudson

-33 Declaration of Ray Robertson

-34 Declaration of Sierra Luchien

-35 Declaration of Jamar'e Demont Luchien

-36 Declaration of Elester Luchien, Jr.

-37 Declaration of Curtis Luchien

-38 Declaration of Elester Luchien

-39 Declaration of Brenda Sampson

-40 Declaration of Deborah Beal

-41 Declaration of Betty King

-42 Declaration of Carl Marks

-43 Declaration of Ronnie Kindle

-44 Declaration of James Robinson III

-45 Declaration of Latasha Marks

-46 Declaration of Azra Mehmedbasich

-47 Declaration of Shervonda Harper

1 -48 Declaration of Constance Davis
2 -49 Birth Certificate of Brenda Sampson
3 -50 Education Records of Brenda Sampson
4 -51 Social Security Administration Records of Brenda
5 Sampson
6 -52 Martin Luther King Medical Center Records of Brenda
7 Sampson
8 -53 Declaration of Amanda L. Gregory, Ph.D.
9 -54 Declaration of Juror No. 967764944
10 -55 Declaration of Juror No. 1548
11 -56 Declaration of Juror No. 0272
12 -57 Declaration of Juror No. 1359
13 -58 Declaration of Juror No. 0838
14 -59 Declaration of Jimmie Cueva
15 -60 Declaration of Dan Ehler
16 -61 Declaration of Hassan Jamal Rashad
17 -62 Declaration of Crystal Robinson
18 -63 California Youth Authority Medical Records of Carlos
19 Anthony Hawthorne
20 -64 “Comprehensive and Workable Plan for the Abatement
21 of Lead-Based Paint in Privately Owned Housing.” *U.S.*
22 *Department of Housing and Urban Development Report to*
23 *Congress*, December 7, 1990
24 -65 Education Records of Carlos Anthony Hawthorne II
25 -66 Handwritten Interview Notes of Adrienne Davis, Ph.D.
26 -67 Newspaper Articles Regarding Los Angeles County
27 Jail Violence, Abuses, and Overcrowding
28 |||

- 68 Newspaper Articles Regarding Mental Health and Medical Treatment in Los Angeles County Jails, 1996-1997
- 69 Vital Records of Carlos Anthony Hawthorne II
- Maternal Family Members
 - 70 Letter from United States Attorney General Assistant AG Isabelle Katz Pinzler to Los Angeles County Executive Joanne Sturges Regarding CIPRA Investigation of Mental Health Services in the Los Angeles County Jail, September 5, 1997
 - 71 Los Angeles County Jail Medical Records of Carlos Anthony Hawthorne II
 - 72 Death Certificate of Delano Manuel Beckles
 - 73 *People v. Tenechia (aka Tanisha) Hardy*, Los Angeles County Superior Court Case No. VA 0-30208, October 30, 1992
 - 74 *People v. Tanisha Hardy*, Los Angeles County Superior Court Case No. BA136287, August 9, 1996
 - 75 Death Certificate of Mary Jane Thomas
 - 76 *County of Santa Clara v. Mary Dowling and Carlos Hawthorne*, Case No. 789CV191677 Certificate of Clerk, re Civil Case Purged
 - 77 San Francisco Police Department Notice of Destroyed Records of Carlos Anthony Hawthorne, Sr.
 - 78 Birth Certificate of Elester Luchien
 - 79 Death Certificate of Ethel Lee Luchien
 - 80 *People v. Dorothy Holley and Marlon Luchien*, Los Angeles County Court Case No. TA 022570, February 25, 1993
 - 81 Articles and Information Regarding Neighborhoods in which Carlos Anthony Hawthorne II Lived
 - 82 Criminal Court Records of Lloyd King

1 -83 Criminal Court Records of Betty King
2 -84 California Department of Corrections and
3 Rehabilitation Records of Lloyd King
4 -85 California Department of Corrections and
5 Rehabilitation Records of Betty King
6 -86 Los Angeles County Coroner Department Records of
7 Ronnie King, June 6, 1972
8 -87 Criminal Court Records of Leamon Adams
9 -88 Criminal Court Records of Carl Marks
10 -89 Los Angeles County Jail Custody Records of Carlos
11 Anthony Hawthorne II
12 -90 Los Angeles County Juvenile Court Records of Carlos
13 Anthony Hawthorne
14 -91 Martin Luther King Jr. Medical Records of Carlos
15 Anthony Hawthorne II
16 -92 Kaiser Permanente Medical Records of Carlos Anthony
17 Hawthorne II
18 -93 Los Angeles County University of Southern California
19 Medical Records of Carlos Anthony Hawthorne II
20 -94 Excerpts Regarding Los Angeles Jails from Special
21 Counsel Semiannual Reports on the Los Angeles County Sheriff's
22 Department, 1996-1997
23 -95 *People v. Lester Luchien*, Los Angeles County Court
24 Case No. BA200835, May 1, 2000
25 -96 Medical Records of Betty King, Metropolitan State
26 Hospital
27 -97 Criminal Court Records of Ronnie King
28 |||

1 -98 Los Angeles County Department of Coroner Records
2 of Carlton Reaves, Jr.

3 -99 Voir Dire Notes of District Attorney Wilkinson

4 -100 California Youth Authority Records of Carlos
5 Anthony Hawthorne II

6 -101 Letter from Adrienne Davis, Ph.D. to Randy Short,
7 June 28, 1997

8 -102 "Lead-Based Paint Hazards and Needs in Los Angeles
9 County", Los Angeles County Housing and Community
10 Development Consolidated Plan (c. 2003)

11 -103 Declaration of Paul Blevins

12 -104 Declaration of Kevin Franklin

13 -105 Declaration of Richard G. Dudley, Jr. M.D.

14 -106 "Which of These Children Will Be Poisoned by
15 Lead?" by Albert L. Huebner. *Los Angeles Times*, April 2, 1978

16 -107 Metropolitan State Hospital Medical Records of Carol
17 Hawthorne

18 -108 Social Security Administration Records of Carol
19 Hawthorne

20 -109 Education Records of Carol Hawthorne

21 -110 Southern Nevada Adult Mental Health Services
22 Medical Records of Carol Hawthorne

23 -111 California Department of Corrections and
24 Rehabilitation Records of Carl Marks

25 -112 Declaration of Juror No. 4311

26 -113 Vital Records of Carlos Anthony Hawthorne II
27 Siblings

28 -114 Education Records of Sierra Luchien

1 -115 Education Records of Elester Luchien Jr.
2 -116 Social Security Administration Records of Lloyd
3 King
4 -117 Excerpts of Darrel Lomax Petition for Writ of Habeas
5 Corpus
6 -118 Declaration of Randy Short Filed in Support of James
7 Heard Petition for Writ of Habeas Corpus Automatic Appeal No.
8 S035769
9 -119 Olympia Medical Center Medical Records of Estella
10 Riley
11 -120 Foster Care Records of Elester Luchien Jr.
12 -121 Department of Social Services Records of Brenda
13 Sampson
14 -122 California Department of Corrections and
15 Rehabilitation Records of Ronnie Kindle
16 -123 Vital Records of Carlos Anthony Hawthorne II
17 Paternal Family Members
18 -124 Los Angeles County Coroner Department Records of
19 William Hawthorne Jr., October 14, 1956
20 -125 Los Angeles County Coroner Department Records of
21 Erma Hawthorne, October 31, 1974
22 -126 Information Regarding California Juvenile Justice
23 System Institutions in Which Carlos Anthony Hawthorne II Lived
24 -127 Information Regarding Specific Learning Disability
25 -128 Declaration of Daniel B. Vasquez
26 -129 Declaration of Leonard Rice
27 -130 “At San Quentin, 647 condemned killers wait to die in
28 the most populous execution antechamber in the United States”

San Francisco Chronicle, November 20, 2005

-131 Declaration of Randy Short, Esq.

-132 Declaration of Katherine Porterfield, Ph.D.

-133 Declaration of Arthur Kowell, M.D.

-134. Birth Certificate of Carlos Anthony Hawthorne II

-135 Newspaper Article Regarding Arresting Officer

Achziger Misconduct

-136 *Aguirre v. Achziger, et. al.* in the US District Court for
Central District of California, Southern Division - Santa Ana,
No. 08-cv-00643, June 11, 2008

Case No. 08-cv-00643, June 11, 2008

-137 Newspaper Articles Regarding Capitally-Charged -Invasion Cases

-138 Information Regarding Chlorpromazine

-139 Information Regarding Los Angeles County

Education and Social Service Institutions

-140 Information Regarding Little Rock Arkansas School Segregation

-141 Los Angeles County University of Southern California Medical Records of Elester Luchien, Jr.

-142 Los Padrinos Juvenile Hall Juvenile Records of

Elester Luchien, Jr

-143 *The County of Los Angeles v. Lester Luchien*, S.

Los Angeles County

144 Kadron Psychiatric Hospital Medical Records of

ELECTOR LUCHIAN, JR.

145 Excerpt of L ABD Notes re: Interior Characteristics

Crime Scene

1 -146 Contract Ledger for Randy Short in *People v.*
2 *Carlos A. Hawthorne*
3 -147 Subpoena Directed to Detective William Smith to
4 Appear as a Witness
5 -148 California Department of Corrections and
6 Rehabilitation Records of Carlos Anthony Hawthorne II
7 -149 Report by Adrienne Davis, Ph.D. of Carlos Anthony
8 Hawthorne II
9 -150 Los Angeles County University of Southern
10 California Medical Records of Carlos Anthony Hawthorne II
11 (continued)
12 -151 Letter from then-Chief Justice Ronald M. George to
13 United States Senator Dianne Feinstein, November 29, 2005
14 -152 Letter from then-Chief Justice Ronald M. George to
15 Chief Judge Mary M. Schroeder, October 29, 2003
16 -153 Vehicle Investigation Report, Vanessa Sells' Lexus
17 300
18 -154 LAPD Scientific Investigation Division, Latent Print
19 Section
20 -155 Juvenile Court Order of Mellaryl Prescription for
21 Carlos Anthony Hawthorne II
22 -156 Pre-Adjudication Social Study in the Matter of Salena
23 McDaniels and Monique Keller
24 -157 Declaration of Terry Kupers
25 -158 Unredacted Declaration of Juror No. 1548 - filed
26 under seal - omitted
27 -159 Unredacted Declaration of Juror No. 0272 - filed
28 under seal - omitted

1 -160 Unredacted Declaration of Juror No. 1359 - filed
2 under seal - omitted
3 -161 Unredacted Declaration of Juror No. 0838 - filed
4 under seal - omitted
5 -162 Unredacted Declaration of Juror No. 4311 - filed
6 under seal - omitted
7 -163 Letter from Michael L. Radelet and Glenn L. Pierce,
8 November 11, 2010
9 -164 Letter from Neil Vidmar, Ph.D., October 21, 2010
10 -165 Letter from John J. Donohue, October 26, 2010
11 -166 Letter from William J. Bowers, October 18, 2010
12 -167 Declaration of Jeffery Aaron
13 -168 Declaration of Adrienne C. Davis, Ph.D., ABPP
14 -169 Declaration of Tanisha Hardy
15 -170 People v. Ronnie Edward King [TN Lloyd Vincent
16 King], Los Angeles County Superior Court, Case No. BA145236
17 (1997)
18 -171 People v. Ronnie Edward King [TN Lloyd Vincent
19 King], Los Angeles County Superior Court, Case No. YA011731
20 (1992)
21 -172 Declaration of Krista Forrest, Ph.D.
22 -173 Reports Regarding the Implementation and Frequency
23 of the Death Penalty
24 -174 Final Report, California Commission on the Fair
25 Administration of Justice
26 -175 Transcript of Proceedings, Jones v. Chappell, U.S.
27 Central District Court Case No. CV 09-02158-CJC, July 16, 2014

28 |||

1 -176 Ronald M. George, Reform Death Penalty Appeals,
2 Los Angeles Times, January 7, 2008

3 -177 Discrimination, Torture, and Execution: A Human
4 Rights Analysis of the Death Penalty in California and Louisiana,
5 Center for Constitutional Rights and International Federation for
6 Human Rights, June 14, 2013

7 -178 Notice of Appeal, Mitchell Sims v. California
8 Department of Corrections and Rehabilitation, et al., Marin
9 County Superior Court Case No. CIV1004019, April 26, 2012

10 -179 Declaration of Jeanne Woodford

11 -180 Declaration of Michael Laurence

12 -181 Newspaper Articles on Botched Executions

13 -182 Excerpt of Chronological Record, Los Angeles Police
14 Department, Case No. 96-0327536 (1996)

15 -183 Nicole L. Hair et al., Association of Child Poverty,
16 Brain Development, and Academic Achievement, 169 JAMA
17 Pediatr. 822 (2015);

18 20. October 1, 2014 unredacted Informal Response to Amended Petition for
19 Writ of Habeas Corpus filed in California Supreme Court case number S176951;
20 and

21 21. Reply to Informal Response filed in California Supreme Court case
22 number S176951.

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Respondent has also provided paper copies of these lodged documents to the Court, which need not be returned to Respondent.

Dated: April 15, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
LANCE E. WINTERS
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/s/ Ana R. Duarte

ANA R. DUARTE
Deputy Attorney General
Attorneys for Respondent

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CERTIFICATE OF SERVICE

Case Name: *Carlos Anthony Hawthorne v.
Pat Horn* _____ No. **CV 22-07535-FWS (AS)** _____

I hereby certify that on April 15, 2024, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

NOTICE OF SECOND SUPPLEMENTAL LODGING

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on April 15, 2024, at Los Angeles, California.

Frances Conroy

Declarant

/s/ Frances Conroy

Signature

ARD:fc
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66713601.docx